

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
Paula Kritzman, Individually and on behalf
of all others similarly situated,

Plaintiff,

v.

AMERICAN EXPRESS RETIREMENT
PLAN, AMERICAN EXPRESS COMPANY,
AMERICAN EXPRESS COMPANY
EMPLOYEE BENEFITS ADMINISTRATION
COMMITTEE, JOHN DOES 1-100

Defendants.
-----X

Civil Action No. 06-00233 (LAK)

**NOTICE OF MOTION TO ADMIT
COUNSEL JOSEPH H. MELTZER
PRO HAC VICE**

To: All Counsel

PLEASE TAKE NOTICE that upon the annexed affirmations of Curtis V. Trinko and Joseph H. Meltzer in support of this motion and the Certificate of Good Standing annexed thereto, we will move this Court before the Honorable Lewis A. Kaplan at the United State Courthouse of the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an order allowing the admission of movant, a partner of the law firm of Schiffrin & Barroway, LLP and a member in good standing of the Bar of the State of Pennsylvania, as attorney pro hac vice to argue or try this case in whole or in part as counsel.

Dated: May 1, 2006

Respectfully submitted,

LAW OFFICES OF CURTIS V. TRINKO, LLP

By: Curtis V. Trinko
Curtis V. Trinko (CT-1838)

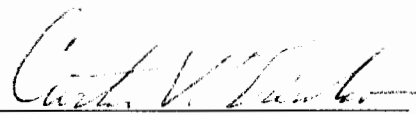
16 West 46th Street, 7th Floor
New York, new York 10036
Tel: (212) 490-9550
Fax: (212) 986-0158
Email: ctrinko@trinko.com

CERTIFICATE OF SERVICE

I, Curtis V. Trinko, hereby certify that true and correct copies of the Notice of Motion for Admission Pro Hac Vice of Mark K. Gyandoh in the above-captioned matter; Affirmation of Curtis V. Trinko in support of the Motion for the Admission Pro Hac Vice of Mark K. Gyandoh ; Affirmation of Mark K. Gyandoh in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Mark K. Gyandoh; Notice of Motion for Admission Pro Hac Vice of Edward W. Ciolko in the above-captioned matter; Affirmation of Curtis V. Trinko in Support of the Motion for the Admission Pro Hac Vice of Edward W. Ciolko; Affirmation of Edward W. Ciolko in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Edward W. Ciolko; Notice of Motion for Admission Pro Hac Vice of Joseph H. Meltzer in the above-captioned matter; Affirmation of Curtis V. Trinko in Support of the Motion for the Admission Pro Hac Vice of Joseph H. Meltzer; Affirmation of Joseph H. Meltzer in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Joseph H. Meltzer were served on the following attorneys by means of postage prepaid, first class mail delivery through the U.S. Mails on this date:

PLEASE SEE ATTACHED SERVICE LIST

Dated: May 1, 2006
New York, New York


Curtis V. Trinko

**SERVICE LIST IN KRITZMAN VS.
AMERICAN EXPRESS RETIREMENT PLAN ET AL.**

Jeremy P. Blumenfeld, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, Pennsylvania 19103
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Fax: (215) 963-5001

Christopher A. Parlo, Esq.
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New York, New York 10178
Tel: (212) 309-6000
Fax: (212) 309-6273

ATTORNEYS FOR DEFENDANTS

Joseph H. Meltzer, Esq.
Edward W. Ciolko, Esq.
Mark K. Gyandoh, Esq.
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Radnor, Pennsylvania 19087
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ATTORNEYS FOR PLAINTIFFS

-----X	
Paula Kritzman, Individually and on behalf	:
of all others similarly situated,	:
	:
	:
Plaintiff,	:
	:
v.	:
	:
AMERICAN EXPRESS RETIREMENT	:
PLAN, AMERICAN EXPRESS COMPANY,	:
AMERICAN EXPRESS COMPANY	:
EMPLOYEE BENEFITS ADMINISTRATION	:
COMMITTEE, JOHN DOES 1-100	:
	:
Defendants.	:
-----X	

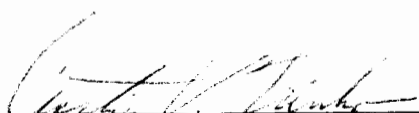
Civil Action No. 06-CV-00233 (LAK)

**AFFIRMATION OF CURTIS.
 V. TRINKO IN SUPPORT OF
 THE MOTION OF JOSEPH H. MELTZER
PRO HAC VICE FOR ADMISSION**

CURTIS V. TRINKO, an attorney duly admitted to practice in the Courts of this State, including the Southern District of New York, declares as follows:

1. I am the principal attorney for the Law Offices of Curtis V. Trinko, LLP, counsel for the plaintiff in the above-captioned matter.
2. I am fully familiar with all facts and circumstances stated herein.
3. I submit this affirmation, together with the attached affirmation of Joseph H. Meltzer and proposed order, in support of plaintiffs' motion for an order admitting Joseph H. Meltzer pro hac vice pursuant to the Individual Rules and Procedures of this Court and Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.
4. Mr. Meltzer , an attorney , is a member in good standing of the Bars of the States of Pennsylvania and New Jersey, and is a partner with the law firm Schiffrin & Barroway., LLP, which is also counsel for plaintiff in this matter. As such, Mr. Meltzer and Schiffrin & Barroway, LLP are associated in this matter with me and my firm as co-counsel, and Mr. Meltzer is fully familiar with the facts and circumstances related to this litigation.

Dated: New York, New York
 May 1, 2006


 CURTIS V. TRINKO

CERTIFICATE OF SERVICE

I, Curtis V. Trinko, hereby certify that true and correct copies of the Notice of Motion for Admission Pro Hac Vice of Mark K. Gyandoh in the above-captioned matter; Affirmation of Curtis V. Trinko in support of the Motion for the Admission Pro Hac Vice of Mark K. Gyandoh ; Affirmation of Mark K. Gyandoh in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Mark K. Gyandoh; Notice of Motion for Admission Pro Hac Vice of Edward W. Ciolko in the above-captioned matter; Affirmation of Curtis V. Trinko in Support of the Motion for the Admission Pro Hac Vice of Edward W. Ciolko; Affirmation of Edward W. Ciolko in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Edward W. Ciolko; Notice of Motion for Admission Pro Hac Vice of Joseph H. Meltzer in the above-captioned matter; Affirmation of Curtis V. Trinko in Support of the Motion for the Admission Pro Hac Vice of Joseph H. Meltzer; Affirmation of Joseph H. Meltzer in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Joseph H. Meltzer were served on the following attorneys by means of postage prepaid, first class mail delivery through the U.S. Mails on this date:

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Dated: May 1, 2006
New York, New York



Curtis V. Trinko

SERVICE LIST IN KRITZMAN VS.
AMERICAN EXPRESS RETIREMENT PLAN ET AL.

Jeremy P. Blumenfeld, Esq.
Morgan, Lewis & Bockius, LLP
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Edward W. Ciolko, Esq.
Mark K. Gyandoh, Esq.
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ATTORNEYS FOR PLAINTIFFS

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Paula Kritzman, Individually and on behalf
of all others similarly situated,

Plaintiff,

V.

AMERICAN EXPRESS RETIREMENT
PLAN, AMERICAN EXPRESS COMPANY,
AMERICAN EXPRESS COMPANY EMPLOYEE
BENEFITS ADMINISTRATION COMMITTEE,
JOHN DOES 1-100,

Defendants.

Civil Action No. 06-CV-0233

**AFFIDAVIT OF JOSEPH H. MELTZER IN SUPPORT OF MOTION
TO ADMIT COUNSEL PRO HAC VICE**

JOSEPH H. MELTZER, being duly sworn, hereby deposes and says as follows:

1. I am a partner with the law firm of Schiffrin & Barroway, LLP.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above-captioned proceedings.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the bar of the State of Pennsylvania. I am also a member in good standing of the bar in the State of New Jersey, the United States District Court for the District of New Jersey, the United States District Court for the Eastern District of Pennsylvania, the United States Court of Appeals for the 3rd Circuit, the United States Court of Appeals for the 4th Circuit, and United States Court of Appeals for the 9th Circuit.
4. There are no pending disciplinary proceedings against me in any State or

Federal Court.

5. Wherefore, your affiant respectfully submits that he be permitted to appear as Counsel and advocate *pro hac vice* in these proceedings.

Dated: April 21, 2006

Respectfully submitted,



Joseph H. Meltzer



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Joseph Howard Meltzer, Esq.

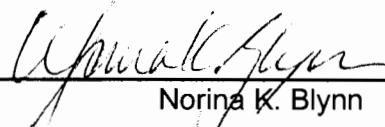
DATE OF ADMISSION

November 6, 1997

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal
Dated: April 24, 2006**




Norina K. Blynn
Chief Clerk

CERTIFICATE OF SERVICE

I, Curtis V. Trinko, hereby certify that true and correct copies of the Notice of Motion for Admission Pro Hac Vice of Mark K. Gyandoh in the above-captioned matter; Affirmation of Curtis V. Trinko in support of the Motion for the Admission Pro Hac Vice of Mark K. Gyandoh ; Affirmation of Mark K. Gyandoh in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Mark K. Gyandoh; Notice of Motion for Admission Pro Hac Vice of Edward W. Ciolko in the above-captioned matter; Affirmation of Curtis V. Trinko in Support of the Motion for the Admission Pro Hac Vice of Edward W. Ciolko; Affirmation of Edward W. Ciolko in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Edward W. Ciolko; Notice of Motion for Admission Pro Hac Vice of Joseph H. Meltzer in the above-captioned matter; Affirmation of Curtis V. Trinko in Support of the Motion for the Admission Pro Hac Vice of Joseph H. Meltzer; Affirmation of Joseph H. Meltzer in Support of the Motion to Admit Counsel Pro Hac Vice; [Proposed] Order Granting Motion for Admission Pro Hac Vice of Joseph H. Meltzer were served on the following attorneys by means of postage prepaid, first class mail delivery through the U.S. Mails on this date:

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New York, New York


Curtis V. Trinko

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PLAN, AMERICAN EXPRESS COMPANY,	:
AMERICAN EXPRESS COMPANY	:
EMPLOYEE BENEFITS ADMINISTRATION :	:
COMMITTEE, JOHN DOES 1-100	:
	:
Defendants.	:
-----X	

Civil Action No. 06-CV-00233 (LAK)

(PROPOSED) ORDER
ADMITTING COUNSEL *PRO HAC VICE*

The motion for admission to practice pro hac vice in the above-captioned matter is granted pursuant to this Court's authority set forth in the Court's Individual Practices and under Local Rule 1.3(c) of the Local Rules of the Southern and Eastern District of New York. The admitted attorney, Joseph H. Meltzer, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice pro hac vice is required to pay a \$ 25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying my mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission pro hac vice for the above-listed case will be made on the roll of attorneys.

The attorney admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

BY THE COURT:

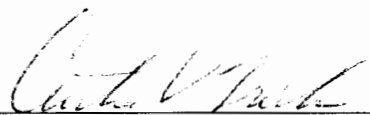
LEWIS A. KAPLAN, U.S.D.J.

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